

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADVANCED CARDIOVASCULAR)
SYSTEMS, INC. and GUIDANT)
SALES CORP.,)

Plaintiffs,)

v.)

C. A. No. 98-80-SLR

MEDTRONIC VASCULAR, INC. and)
MEDTRONIC USA, INC.,)

Defendants.)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that the attached copy of DTX 1163, which is an excerpt of the privilege log for ACS, shall be substituted for the unredacted copy of that document that was admitted at the June 7-8, 2005 trial on Medtronic's inequitable conduct claim.

RICHARD, LAYTON & FINGER

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Frederick L. Cottrell

/s/ Karen Jacobs Louden

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Inc.

SO ORDERED this ____ day _____, 2005.

Robinson, C.J.

DJP

FULWIDER • PATTON

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LOS ANGELES LONG BEACH

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August 21, 2000

VIA FEDERAL EXPRESS

Halley F. Sexter, Esq.
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Re: *Medtronic, AVE, Inc. v. Advanced Cardiovascular Systems, Inc.*
Civil Action No. 98-80 SLR (D. Del.)(consolidated)

Dear Halley:

Please find enclosed the privilege log for ACS. This may be updated from time to time to include documents which are located and for which ACS claims privilege.

Sincerely,

David Pitman

David J. Pitman
For FULWIDER PATTON LEE & UTECHT, LLP

DJP:njw
Enclosure
#182814



CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

FULWIDER PATTON LEE & UTECHT, LLP's LIST OF DOCUMENTS PROTECTED UNDER
THE ATTORNEY-CLIENT PRIVILEGE AND/OR WORK PRODUCT IMMUNITY

IDENTIFICATION OF FILE:

IDENTIFICATION OF INDIVIDUALS: At the time the communications listed below were made, the persons named were identifiable as follows: Mirza Gehman was a paralegal employed by ACS. John S. Nagy, Richard A. Bardin, Craig B. Bailey, Edward J. Lynch, Leo J. Peters, John V. Hanley, Paul Feng, Kamran Fattahi, and Pamela Maher were attorneys with the law firm of Fulwider, Patton, Lee & Utecht of Los Angeles, California; Jane E. Barnett and Sherry France were secretaries to John S. Nagy. Edward M. Basile was an attorney with the law firm of King & Spaulding of Washington, D.C. Anthony J. Castro, Bruce J. Barclay, Michael Gropp, J.B. King, and Thomas R. Petersen were inside counsel with Guidant or ACS. The remaining individuals identified below were employees of ACS, Guidant, or another division or affiliate of Guidant in the relevant time periods.

DATE	FROM	TO	ITEM IDENTIFICATION	GENERAL DESCRIPTION OF SUBJECT MATTER	PROTECTION CLAIMED
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REDACTED

DATE	FROM	TO	ITEM IDENTIFICATION	GENERAL DESCRIPTION OF SUBJECT MATTER	PROTECTION CLAIMED
1990-01-17	Edward J. Lynch	Bruce J Barclay	Letter	Legal Advice re Evaluation of U.S. Application of E.S.S. Inc.	AC
1990-09-04	Bruce J Barclay	Edward J. Lynch	Letter with enclosure	Requesting preparation of patent applications	AC

REDACTED

#182742